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UNCLAS AMMAN 002228

SIPDIS

NSC FOR GARY PETERS, JUSTICE FOR OPDAT, TREASURY FOR OTA

E.O. 12958: N/A

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SUBJECT: RESPONSE TO REQUEST ON COUNTERTERRORISM LEGISLATION SEMINARS

REF: A. SECSTATE 51937 B. AMMAN 5049-01

1. (U) In response to Ref A, Post has queried and received a positive response from the FonMin's office on the GOJ's interest in attending counterterrorism legislation seminars in Washington. The GOJ is one of our strongest partners in the war on terrorism and we believe the opportunity to further develop their legislative tools on key counterterrorism issues would be invaluable. Post has identified the following areas in which we believe the GOJ would benefit from training: terrorist financing, border control and immigration, export and import controls, and investigative and prosecution tools for counterterrorism offenses.

2. (U) The following answers are keyed to Ref A questions on the GOJ's legal system:

A. The GOJ legal system is an amalgam of several legal models reflecting the influences of colonial and regional powers prominent in the last century. It is essentially a code-based legal system that derives its normative and procedural structure primarily from Egyptian codes, which themselves were based on the French tradition and models of the 19th and 20th centuries. The GOJ legal system also incorporates Shari'a (Islamic law) and some aspects of European law. For example, during the Ottoman period, aspects of French commercial law and civil and criminal procedures were adopted. English common law was introduced in the West Bank between 1917 and 1948, and was introduced in the East Bank during the years 1921-1946, when the East Bank comprised the British Mandate of Transjordan.

B. Yes, codified in the penal code.

C. Yes, per Ref B, the GOJ in October 2001 passed a series of amendments to its penal code that broadly define terrorism and punishments for terrorism-related crimes.

D. Yes, as a condition of the FY 2001 cash transfer program, the U.S. required the GOJ to draft statutes on money laundering. The GOJ statutes are based on the "forty recommendations"--the general framework of the Financial Action Task Force of the OECD.

E. Yes, conditional on the approval of the Prosecutor General. If approval has not been given, evidence garnered from such operations will not be allowed to be presented in court.

G. Yes, conditional on the approval of the Prosecutor General. If approval is not given, evidence garnered from such surveillance cannot be presented in court.

BERRY